

1623 #

PATENT  
Attorney Docket 54800-5004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Roderic Dale et al.**

Application No. **09/223,957**

Filed: **December 31, 1998**

For: **Method for Nucleic Acid Preparation**

Group Art Unit: **1623**

Examiner: **Howard V. Owens, Jr.**

AMENDMENT TRANSMITTAL FORM

- Transmitted herewith is an Amendment and Response in response to the Office Action dated October 18, 2002.
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for a three-month extension of time from January 18, 2003 to April 18, 2003, the extension fee for which is \$465.00 as set out in 37 C.F.R. 1.17(a)-(d) for small entities. If an additional extension of time is required, please consider this a petition therefor.
- Fee Calculation (37 C.F.R. 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	18	minus	20	0	\$18 each=	0.00
Independent Claims	3	minus	3	0	\$84 each=	0.00
First presentation of Multiple dependent claim					\$280.00	0.00
SUB-TOTAL =						0.00
Reduction by ½ for filing by a small entity						
TOTAL FEE =						0.00

- Fee Payment: The Commission is hereby authorized to charge **\$465.00** to Deposit Account 50-0310 for payment of the three-month extension of time fee.
- Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

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Dated: **April 17, 2003**

Morgan, Lewis & Bockius LLP

Customer No. **09629**

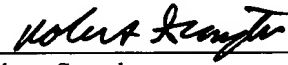
1111 Pennsylvania Avenue, NW

Washington, D.C. 20004

202-739-3000

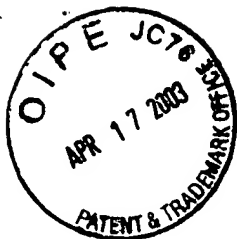
Respectfully submitted,

**Morgan, Lewis & Bockius LLP**

A handwritten signature in cursive script, appearing to read "Robert Smyth", is written over a horizontal line.

Robert Smyth

Registration No. 50,801



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For: **Method for Nucleic Acid Preparation**

Group Art Unit: **1623**

Examiner: **Howard V. Owens, Jr.**

**AMENDMENT UNDER 37 C.F.R. 1.111**

This Amendment is filed in response to the Office Action dated October 18, 2002, the period for response to which has been extended from January 18, 2003 to April 18, 2003 to by the accompanying petition for a three-month extension of time. An authorization to charge the deposit account of the undersigned to cover the cost of the three-month extension of time is enclosed.

Please amend this application as follows:

**In the claims:**

**Please cancel claim 17 without prejudice or disclaimer.**

**Please substitute the following claims for claims 1, 9-14, 20-21:**

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1. A method of desalting and concentrating an oligonucleotide within a sample, said method comprising:

(a) subjecting the sample comprising the oligonucleotide to anion exchange purification to obtain a purified sample;

(b) contacting the purified sample with a binding medium comprising a strongly hydrophobic base matrix selected from the group consisting of polydivinylbenzene, poly(styrene-divinylbenzene), polystyrene copolymers, polyethylene and polypropylene;

(c) rinsing the binding medium with an unbuffered aqueous solution; and

(d) eluting the oligonucleotide with an aqueous organic solvent.

9. The method of claim 1, wherein the oligonucleotide has been modified with a compound selected from the group consisting of biotin, fluorescein and related dyes, spacers, thiol modifiers, carboxylate modifiers or any combination of these.